

APPEAL NO. 022507
FILED NOVEMBER 20, 2002

This appeal arises pursuant to the Texas Workers= Compensation Act, TEX. LAB. CODE ANN. ' 401.001 *et seq.* (1989 Act). A contested case hearing was held on September 9, 2002. The hearing officer determined that the compensable injury sustained by the respondent (claimant) on _____, includes an injury to her lumbar spine, and that she had disability from April 26, 2002, through the date of the hearing. The appellant (carrier) argues that the evidence does not support the hearing officer's decision. The appeal file contains no response from the claimant.

DECISION

We affirm.

Conflicting evidence was presented on the disputed issues in this case. The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). As the trier of fact, the hearing officer resolves the conflicts in the evidence and determines what facts have been established. It was the hearing officer's prerogative to believe all, part, or none of the testimony of any witness, including that of the claimant. Aetna Insurance Company v. English, 204 S.W.2d 850 (Tex. Civ. App.- Fort Worth 1947, no writ). The hearing officer noted in his decision that the claimant was credible in her testimony and he resolved the disputed issues in her favor. We conclude that the hearing officer's decision is supported by sufficient evidence and is not so against the great weight and preponderance of the evidence as to be clearly wrong and unjust. Cain v. Bain, 709 S.W.2d 175 (Tex. 1986).

We affirm the hearing officer's decision and order.

The true corporate name of the insurance carrier is **TRINITY UNIVERSAL INSURANCE COMPANY OF KANSAS** and the name and address of its registered agent for service of process is

**RONALD I. HENRY
10000 NORTH CENTRAL EXPRESSWAY
DALLAS, TEXAS 75230.**

Gary L. Kilgore
Appeals Judge

CONCUR:

Michael B. McShane
Appeals Panel
Manager/Judge

Margaret L. Turner
Appeals Judge